

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 27, 2000

DIVISION ONE

B134769 People (Not for Publication)
v.
Jones

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B137933 People (Not for Publication)
v.
Quinones

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Aragon, J. (Assigned)

B134080 People (Not for Publication)
v.
Smith

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Aragon, J. (Assigned)

July 27, 2000-Continued

DIVISION ONE (Continued)

B135264 People (Not for Publication)
v.
Moore

The judgment is affirmed.

Aragon, J. (Assigned)

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B137422 Nesen et al. (Not for Publication)
v.
Lewitt et al.

The judgment is affirmed. Respondent(s) to recover costs.

Aragon, J. (Assigned)

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B137674 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Roberta A.

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

July 27, 2000-Continued

DIVISION ONE (Continued)

B137778 People v. Payne (Not for Publication)

The judgment is affirmed.

Aragon, J. (Assigned)

We concur: Spencer, P.J.
Ortega, J.

B137399 People (Not for Publication)
v.
Ameer A.

The order under review is affirmed.

Aragon, J. (Assigned)

We concur: Spencer, P.J.
Ortega, J.

B136562 People (Not for Publication)
v.
Rosas

The judgment is affirmed.

Aragon, J. (Assigned)

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

July 27, 2000-Continued

DIVISION ONE (Continued)

B138869 People (Not for Publication)
v.
Jetson

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Aragon, J. (Assigned)

B132196 Daeda (Not for Publication)
v.
Schapira et al.

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B136307 People (Not for Publication)
v.
Taft, Jr.

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B134061 Sanwa Bank, Ltd. (Not for Publication)
 v.
 Victoria Marine Co., Ltd.

The judgment is affirmed.

Aragon, J. (Assigned)

We concur: Ortega, Acting P.J.
 Vogel (Miriam A.), J.

B130669 Babcock et al. (Not for Publication)
 v.
 City of Santa Clarita

The judgment is affirmed. Respondent(s) to recover costs.

Spencer, P.J.

We concur: Ortega, J.
 Aragon, J. (Assigned)

B135794 County Of Los Angeles (Not for Publication)
 v.
 Frontier Pacific Insurance Company

The order is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Aragon, J. (Assigned)

DIVISION ONE (Continued)

B131237 People (Not for Publication)
v.
Davis

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B134202 The People ex rel. Bill Lockyer, (Certified for Publication)
as Attorney General, etc.
v.
Pacific Gaming Technologies

The judgment is reversed, and the cause is remanded to the trial court with directions to enter a new judgment in favor of the State of California (and, in furtherance thereof, to hold such additional hearings, if any, as may be required). The State is awarded its costs of appeal.

Vogel (Miriam A.),J.

I concur: Aragon, J. (Assigned)
I dissent: Ortega, Acting P J. (Opinion)

B132741 Reynolds (Not for Publication)
v.
Isley Brothers Music Corporation

The order is affirmed. IBMC is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Aragon, J. (Assigned)

DIVISION ONE (Continued)

B138030 Radenbaugh et al. (Not for Publication)
 v.
 Franchise Tax Board

The judgment is reversed. Appellant(s) to recover costs.

Aragon, J. (Assigned)

We concur: Spencer, P.J.
 Ortega, J.

B140582 Donna D. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (Department of Children & Family Services, r.p.i.)

Petition denied by opinion.

Aragon, J. (Assigned)

We concur: Ortega, Acting P.J.
 Vogel (Miriam A.), J.

B133793 People (Not for Publication)
 v.
 Ibarra

The matter is remanded for the trial court to strike the weapon enhancements from counts 4, 5, and 6 and to issue a new abstract of judgment, which is to be sent to the Department of Corrections. In all other respects, the judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
 Aragon, J. (Assigned)

DIVISION ONE (Continued)

B137129 Concerned Brentwood Homeowners & Residents (Not for Publication)

v.

City of Los Angeles

Archer School for Girls

The judgment is affirmed. Archer and the city are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Ortega, J.

B141307 Jennifer G. (Not for Publication)

v.

Superior Court, Los Angeles County

(Department of Children & Family Services, r.p.i.)

The petition is denied by opinion.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
 Aragon, J. (Assigned)

DIVISION TWO

Court convened at 9:00 A.M.

Present: Boren, P.J., Nott, J., Cooper, J., Mallano, J. (Assigned) and G. Villanueva,
Deputy Clerk.

DIVISION TWO (Continued)

Each of the following:

B133951 People v. Gregory L.
B136058 People v. Herman M.
B131882 People v. Jackson
B136867 People v. Johnny L.
B131779 People v. Bush
B130439 People v. Herbert
B128265 People v. Falls
B133314 People v. Vandermaarl
B135302 People v. Lemus
B135927 People v. Jose N.
B137489 People v. Mayotin
B130980 Becker v. American Airlines
B139192 In re Jasmine G.
B141217 Taunja G. v. S.C.L.A.
B131341 Maciel v. Garcia
B137665 Matter of Rubisela E.
B134309 People v. S.C.L.A. (Bagration)
B127995 People v. S.C.L.A. (Noble)
B127143 People v. S.C.L.A. (Jackson)
B137819 In the Matter of Elizabeth S.
B136858 People v. Herbert M.
B132831 People v. Nevarez
B131192 People v. Jackson
B130235 People v. Vogel

Argument waived, cause submitted.

B131265 People
 v.
 Parks

Merits:

Argued by Julie Hernandez for appellant and by Erika Jackson, deputy attorney general, for respondent. Cause submitted.

DIVISION TWO (Continued)

B135162 Goettling
 v.
 City of Santa Monica

Merits:
Argued by Mark Leonardo for appellant and by Norman Hirata for respondent. Cause submitted.

B131694 The Secret, Inc.
 v.
 Sigel

Merits:
Argued by Mark Gottlieb for appellant and by Allan Sigel for respondent. Cause submitted.

B138270 Joseph Family Trust
 v.
 Simon

Merits:
Argued by Karen Segel for appellant and by Edor Anderson for respondent. Cause submitted.

B132498 Milrot
 v.
 Stamper Medical Corporation

Merits:
Argued by Warren Miller for appellant, by Joshua Heard for respondent Milrot and by Gilda Cohen for respondent Kahn. Submission deferred pending the filing of a supplemental record, then matter to stand submitted.

DIVISION TWO (Continued)

B136294 People
 v.
 Downey

Merits:

Argued by Robert Waters and Ross Nabatoff for appellant and by Jeffery Kahan, deputy attorney general, for respondent. Cause submitted.

Boren, P.J. leaves the bench.

B125052 Int'l Diversified Products
 v.
 Acisa America, Inc.

Merits:

Argued by C. Terrence Mobly for appellant and by John Gaule for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Boren, P.J., Nott, J., Cooper, J., Mallano, J. (Assigned) and G. Villanueva, Deputy Clerk.

B131767 People
 v.
 Quinones

Merits:

Argued by Jerald Newton for appellant and by Joana Castille, deputy attorney general, for respondent. Cause submitted.

DIVISION TWO (Continued)

B135278 People
 v.
 Williams

Merits:

Argued by Jeff Price for appellant and by Thien Tran, deputy attorney general, for respondent. Cause submitted.

B134069 People
 v.
 Steele

Merits:

Argued by Jerald Newton for appellant and by Tracy Letteau, deputy attorney general, for respondent. Cause submitted.

B136991 Lieberman
 v.
 City of Los Angeles

Merits:

Argued by Robert Pourvali for appellant and by Lisa Berger for respondent. Appellant shall have 10 days to file a letter brief. Respondent shall have 20 days to reply, then matter to stand submitted.

B129620 Bustamante
 v.
 County of L.A.

Merits:

Argued by Moses Lebovits for appellant and by Jennifer Gysler for respondent. Cause submitted.

DIVISION TWO (Continued)

B137830 Roberts
 v.
 S.C.L.A.
 Calfarm Insurance Company

Merits:

Argued by Jeffrey Ehrlich for petitioner and by Ezra Hendon for real party in interest. Cause submitted.

Court adjourned.

B134153 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Verlita H.

The order terminating parental rights is affirmed.

Mallano, J. (Assigned)

We concur: Nott, Acting P.J.
 Cooper, J.

B135901 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Robert W.

The juvenile court's October 26, 1999 orders: 1) clarifying that court's October 4, 1999 visitation order; 2) deeming minor's Therapist's identity confidential; and 3) requiring father to communicate with county counsel only in writing, are reversed. In all other respects the juvenile court's orders remain undisturbed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Cooper, J.

DIVISION TWO (Continued)

B126954 Dolores A. Skillstad (Not for Publication)
 v.
 Edward James Skillstad

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Nott, Acting P.J.
 Cooper, J.

B132268 People (Not for Publication)
 v.
 Hunt

The matter is remanded to afford appellant the opportunity to admit or to deny and request a court trial as to the validity of the prior conviction as a prior strike conviction. In all other respect, the judgment is affirmed.

Boren, P.J.

I concur: Nott, J.
I dissent: Mallano, J. (Assigned) (Opinion)

B127590 People (Not for Publication)
 v.
 Muralles et al.

The judgment is affirmed.

Boren, P.J.

We concur: Cooper, J.
 Mallano, J. (Assigned)

DIVISION TWO (Continued)

B139471 Southard et al. (Certified for Publication)

v.

Superior Court, Los Angeles County
(Kristina M., r.p.i.)

Let a writ of mandate issue directing the juvenile court to set aside its order granting real party's motion for joinder, and enter a new and different order denying the motion.

Nott, Acting P.J.

We concur: Cooper, J.
 Mallano, J. (Assigned)

B132542 People (Not for Publication)

v.

Superior Court, Los Angeles County
(Rodarte, r.p.i.)

Let a writ of mandate issue directing the superior court to set aside its April 12, 1999 order granting real party's motion to dismiss the section 2970 petition. The temporary stay is vacated.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

DIVISION FOUR

B130854 Wilma Pony (Not for Publication)

v.

Umberto's Beauty Salon

The judgment is affirmed. Each party to bear their own costs on appeal.

Hastings, Acting P.J.

We concur: Curry, J.
 Rubin, J. (Assigned)

DIVISION FOUR (Continued)

B138616 Jeffrey K. Winikow (Certified for Publication)

v.

Superior Court, Los Angeles County

(Kathleen Schroeder and Haight, Brown & Bonesteel, r.p.i.)

Let a writ of mandate issue requiring respondent to repay petitioner the sum of \$150. Each party is to bear its own costs.

Hastings, Acting P.J.

We concur: Curry, J.

 Rubin, J. (Assigned)

B133837 Patricia Lee Germann (Not for Publication)

v.

Jack Germann et al.

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.

 Hastings, J.

B130448 People (Not for Publication)

v.

Schulze

The judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.

 Rubin, J. (Assigned)

July 27, 2000-Continued

DIVISION FOUR (Continued)

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The judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.
Rubin, J. (Assigned)

B133416 People (Not for Publication)
v.
McDonald

The judgment is affirmed.

Hastings, Acting P.J.

We concur: Curry, J.
Rubin, J. (Assigned)

B136809 George Clinton (Not for Publication)
v.
Earl Ciccel

The judgment is reversed. Appellant is to have his costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FOUR (Continued)

B131346 Matrix, Inc. (Not for Publication)
v.
Angel & Neistat

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B139773 Marilyn Teller (Not for Publication)
v.
Superior Court, Los Angeles County
(Wayne Powell, r.p.i.)

The petition for writ of mandate is denied, and the stay order is dissolved. Each side to bear their own costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FIVE

B136624 People (Not for Publication)
v.
Andre Lamor Dedmon

The judgment is affirmed.

Turner, P.J.

I concur: Armstrong, J.
I dissent: Godoy Perez, J. (Opinion)

DIVISION FIVE (Continued)

B139376 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Guillermo V.

The order terminating the parental rights of the father, Guillermo V. to the minor, Matthew V., is affirmed.

Turner, P.J.

We concur: Grignon, J.
 Godoy Perez, J.

B123113 Gloria Drake (Not for Publication)
v.
Downey Neurological Center et al.

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

I concur: Grignon, J.
I dissent: Godoy Perez, J. (Opinion)

B134235 People (Not for Publication)
v.
Salvador Nicola Negrete IV

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

July 27, 2000-Continued

DIVISION FIVE (Continued)

B137168 People (Not for Publication)
v.
Ardas Yanik

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

B133386 Los Angeles Police Protective League (Not for Publication)
v.
Barnard Parks, Chief of Police, et al.

The judgment is reversed. Appellant to recover costs on appeal.

Armstrong, J.

We concur: Turner, P.J.
Godoy Perez, J.

DIVISION SIX

B132220 People (Not for Publication)
v.
Perez

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

July 27, 2000-Continued

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B138377 People (Not for Publication)
v.
Bennett

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.